

# Senate Bill 277 Frequently Asked Questions

These FAQs were last updated on 12/6/2016 (this included edits to question 13). This content is considered current until any future update is made.

## Immunization Requirements for 2015

1. **In 2015 and future years**, which vaccines are required to enter child care or school in California?

- For child care, see <http://www.shotsforschool.org/child-care/>
- For kindergarten, see <http://www.shotsforschool.org/k-12/>
- For 7th grade, see <http://www.shotsforschool.org/7th-grade/>
- For students entering or transferring into California schools at other grade levels, see <http://www.shotsforschool.org/k-12/>

2. **In the summer or fall of 2015**, are there any changes to the immunization requirements for children entering child care or school?

No.

In 2015 and future years each immunization requirement may be fulfilled by any of the following:

- Receiving the required vaccine doses
- Receiving a [medical exemption](#) from a licensed physician – see [question #17](#) below
- Under limited circumstances [conditional admission](#) may be available– see [question # 21](#) below.

In 2015 but not future years:

- Parents or guardians of entering students may submit a personal beliefs exemption to fulfill an immunization requirement. For further information, please see <http://www.shotsforschool.org/laws/exemptions/#personal-belief-exemption-NEW>.
- Students must fulfill immunization requirements if entering:
  - ♦ A home-based private school or
  - ♦ An independent study program and do not receive classroom-based instruction.

## New law (SB277) for 2016 and future years

3. **In 2016**, what are the changes to the immunization requirements for children entering child care or school?

Starting January 1, 2016:

- Parents or guardians of students in any school or child-care facility, whether public or private, will no longer be allowed to submit a personal beliefs exemption to a currently-required vaccine.
- Students will no longer be required to have immunizations for entry if they attend:
  - ◆ A home-based private school or
  - ◆ An independent study program and do not receive classroom-based instruction.
- Students who have an individualized education program (IEP) should continue to receive all necessary services identified in their IEP regardless of their vaccination status. However, parents or guardians must continue to provide immunization records for these students to their schools, and schools must continue to maintain and report records of immunizations that have been received for these students.

#### **4. When does the law take effect?**

January 1, 2016.

#### **5. Where can I review the new law?**

The language of Senate Bill 277 (Pan, 2015) is available at:  
[https://leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=201520160SB277](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB277).

#### **6. Which facilities are affected by the new law in 2016 and future years?**

Whether public or private, all California schools and child-care facilities, including child-care centers, day nurseries, nursery schools, family day care homes, and development centers, are subject to new and existing laws in California.

## **Personal Beliefs Exemptions Ending**

#### **7. In the new law on immunization requirements, are religious beliefs distinguished from other personal beliefs?**

No distinction is made between exemptions based on religious beliefs and other personal beliefs. Starting in 2016, exemptions for religious or other personal beliefs will no longer be an option for the vaccines that are currently required for entry into school or child care in California.

#### **8. Will personal beliefs exemptions filed during or after 2016 be valid?**

No. Starting in 2016, personal beliefs exemptions will no longer be an option for the vaccines that are currently required for entry into school or child care in California.

#### **9. Will personal beliefs exemptions, including those based on religious beliefs, filed in California before 2016 remain valid in later years?**

Personal beliefs exemptions (PBEs) filed at a school or child-care facility before January 1, 2016 will remain valid until the student enrolls in the next grade span, typically at kindergarten (or transitional kindergarten) or 7th grade.

A PBE filed before 2016 at:

- A child-care facility will remain valid until the child first enters the span between transitional kindergarten through 6<sup>th</sup> grade.
- Entry to any grade from transitional kindergarten/kindergarten through 6<sup>th</sup> grade will remain valid until the child completes 6<sup>th</sup> grade.
- Entry to any grade from 7<sup>th</sup> through 12<sup>th</sup> will remain valid through 12<sup>th</sup> grade.

PBEs filed in 2015 are only valid when signed by both an authorized health care practitioner and a parent/guardian no more than 6 months prior to first entry into school or child care or a new grade span (if the "religious beliefs" box was checked, then a practitioner signature was not required). Therefore, PBEs filed in 2015 are **invalid** for children first entering child care or school in California in the fall of 2016 or later years.

**10. Is a personal beliefs exemption still valid if a child transfers between child-care facilities in California after 2015?**

Yes, a personal beliefs exemption filed with a child-care facility before January 1, 2016 is valid until entry into the next grade span (transitional kindergarten through 6<sup>th</sup> grade). Personal beliefs exemptions may be transferred between child-care facilities in California.

However, if the personal belief exemption documentation is no longer available, children must meet immunization requirements (see [question #1](#)) to attend the new child-care facility.

**11. Is a personal beliefs exemption still valid if a student transfers between schools in California after 2015?**

Yes, a personal beliefs exemption filed with a school before January 1, 2016 is valid until entry into the next grade span (7<sup>th</sup> through 12<sup>th</sup> grade). Personal beliefs exemptions may be transferred between schools in California, both within and across school districts.

However, if the personal beliefs exemption documentation is no longer available, students must meet immunization requirements (see [question #1](#)) or be enrolled in an independent study program and do not receive classroom-based instruction or in a home-based private school (see [question #3](#)).

**12. Is a personal beliefs exemption from another state or country valid if a student transfers to a California school in 2016 or future years?**

No.

**13. What will happen in future years when children with a prior personal beliefs exemption enter their next grade span in primary or secondary school (typically kindergarten or 7<sup>th</sup> grade)?**

Children with a valid personal beliefs exemption filed before 2016 who enter a new grade span will have to meet all age-appropriate immunization requirements for admission into primary or secondary school (K-12<sup>th</sup> grade) (see [www.shotsforschool.org/k-12/](http://www.shotsforschool.org/k-12/)) or be enrolled in an independent study program and do not receive classroom-based instruction or in a home-based private school (see [question #3](#)). Additional requirements for age and grade will need to be met before entering 7<sup>th</sup> grade.

Therefore, in order to begin 7<sup>th</sup> grade, children who had a valid personal beliefs exemption filed before 2016 upon entry between kindergarten and 6<sup>th</sup> grade need to meet the

requirements listed for children 7-17 years old as well as requirements for 7th grade listed at [www.shotsforschool.org/k-12/](http://www.shotsforschool.org/k-12/). They will need to provide documentation of having received the following doses of vaccines:

- Diphtheria, Tetanus, and Pertussis containing vaccine (DTaP, DTP, DT, Tdap, or Td)—3 doses (consistent with [national recommendations](#) for children not immunized before age 7 years)
  - One dose of Tdap vaccine given on or after the 7th birthday will meet the 7th grade requirement and count as one of the 3 doses required for persons 7-17 years of age
- Polio (OPV or IPV)—4 doses (3 doses OK if 1 dose was given on or after 2nd birthday)
- MMR— 2 doses (or 2 doses of measles-containing vaccine and 1 dose of rubella vaccine)
- Varicella (chickenpox)— 1 dose if admission at ages 7-12 years; 2 doses if admission at ages 13-17 years.

#### **14. What are the requirements for students entering [transitional kindergarten](#)?**

Students entering transitional kindergarten must meet the same immunization requirements as students entering kindergarten. A student who has met the immunization requirements for transitional kindergarten typically has met the requirements for the following year of kindergarten.

#### **15. My child was admitted to transitional kindergarten in 2015 with a valid personal beliefs exemption to one of the required vaccines. How long may her exemption remain valid?**

A personal beliefs exemption filed in 2015 at entry into transitional kindergarten may remain valid until the completion of 6<sup>th</sup> grade.

#### **16. What if additional vaccines become required for child care or school?**

Personal beliefs exemptions will be allowed for any new immunization requirement initiated by the California Department of Public Health.

## **Medical Exemptions**

#### **17. What's required for a medical exemption to a required immunization?**

A parent or guardian must submit a written statement from a licensed physician (M.D. or D.O.) which states:

- That the physical condition or medical circumstances of the child are such that the required immunization(s) is not indicated.
- Which vaccines are being exempted.
- Whether the medical exemption is permanent or temporary.
- The expiration date, if the exemption is temporary.

#### **18. May other practitioners, besides licensed physicians (M.D.s and D.O.s), provide a medical exemption to a required immunization?**

No. Only a licensed Medical Doctor (MD) or Doctor of Osteopathic Medicine (DO) may provide a

medical exemption.

In contrast, the other categories of licensed or credentialed practitioners in California previously authorized through 2015 to sign requests for personal beliefs exemptions (e.g., Nurse Practitioner, Physician Assistant, Naturopathic Doctor, or School Nurse) may not provide medical exemptions.

**19. Has the State of California issued a standardized form for medical exemptions?**

No, but the documentation must include the elements described in [question 17](#).

**20. Are licensed physicians required to assist in requests for medical exemptions?**

A licensed physician may provide a medical exemption but is not required to do so. Parents or guardians seeking medical exemptions should check with physicians in advance to clarify their policies on medical exemptions.

## Conditional Admission

**21. What is conditional admission?**

Children behind on their required immunizations may be admitted conditionally, if they are not currently due for any doses or have a temporary medical exemption. See <http://www.shotsforschool.org/laws/conditional-admission/> for further information.

## Students Without Classroom-Based Instruction

**22. What are the requirements for students entering a home-based private school or independent study program and do not receive classroom-based instruction?**

Students entering:

- A home-based private school or
- An independent study program and do not receive classroom-based instruction

are subject to immunization requirements for entry during 2015 but not in 2016 or future years. Parents or guardians must provide records to the schools of any required immunizations received by these students.

**23. Will schools still need to record immunization information and report on the immunization status of all students, including students who are exempt from entry requirements in 2016 and future years?**

Yes, schools will still need to:

- Record immunizations for all students at entry.
- Report on the immunization status of all students at the checkpoints of child care, kindergarten, and 7th grade.

## Other Topics

### **24. Are students who are homeless or in foster care subject to the immunization requirements?**

Yes. However, a student who is homeless or in foster care, when transferring into a new school, may be admitted immediately if the student arrives without immunization records. Schools should utilize their resources to make sure these students have received all required immunizations as soon as possible.

**For information on previous requirements for PBEs, click [here](#).**

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